



GAIL FARBER, Director

## COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

December 04, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

### ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

37 December 4, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD  
BRIDGE BARRIER RAIL REPLACEMENT  
REIS STREET (NORTH), ET AL.  
IN THE UNINCORPORATED COMMUNITIES OF EAST AZUSA  
AND SOUTH WHITTIER  
(SUPERVISORIAL DISTRICTS 1 AND 4)  
(3 VOTES)**

### SUBJECT

This action is to approve the project to replace bridge barrier rails on Reis Street (North), et al., in the unincorporated communities of East Azusa and South Whittier; find this project categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; call for bids; authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for replacement of bridge barrier rails, in the unincorporated communities of East Azusa and South Whittier, at an estimated construction contract cost between \$275,000 and \$380,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on January 8, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisement.

4. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor, and deliver the project.

5. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to obtain approval of the project from the Board, adopt the plans and specifications, advertise for bids, and authorize the Director of Public Works (Director) or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid for the replacement of bridge barrier rails and the performance of other appurtenant work.

The limits of the project are as follows:

- Reis Street over Sorenson Drain
- Mills Avenue over Sorenson Drain
- Gladstone Street over Big Dalton Wash

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved highway facilities for the traveling public.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$275,000 to \$380,000. The total project cost is estimated to be \$604,000. In addition to the construction contract cost, the total project cost includes preparation of plans and specifications, materials testing and reporting, survey, traffic control, inspection, contract administration, change order contingency, and other County services.

This project will be administered under the Highway Safety Improvement Program covered by

Agreement No. 76078 with the State of California. Under this program, Federal-aid grant funds in the amount of \$461,000 will be used to finance a portion of the project cost. This project is included in the First and Fourth Supervisorial Districts' Road Construction Programs in the Fiscal Year 2012-13 Road Fund Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

This project is part of the Department of Public Works' (Public Works) ongoing program for the replacement of bridge barrier rails. It will be advertised in accordance with Section 20404 of the State Public Contract Code.

This project is to be completed in 45 working days. It is estimated the work will start in April 2013 and be completed in June 2013.

Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for the replacement of barrier rails.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

## **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt pursuant to Section 15301(c) of the California Environmental Quality Act Guidelines and Class 1, Subsections (x)(11), (x)(14), and (x)(16) of the revised County Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. These exemptions provide for the repairs and maintenance of bridge structures in place and sidewalk construction within existing road right of way.

## **CONTRACTING PROCESS**

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for the Federal funds financing the majority of this project, Title 49, Code of Federal Regulations, requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the project is completed, it will have a positive impact by providing improved highway facilities for the traveling public.

## **CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

The Honorable Board of Supervisors

12/4/2012

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Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly distinguishable.

GAIL FARBER

Director

GF:JTS:mt

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Internal Services Department (Countywide  
Contract Compliance)